

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARLYLE AVIATION MANAGEMENT LIMITED, *et al.*,

Plaintiffs,

-v-

FRONTIER AIRLINES, INC.,

Defendant.

23 Civ. 4774 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court thanks counsel for their joint letter, filed December 8, 2023, confirming that defendant has no objection to plaintiffs’ motion for leave to file a supplemental complaint under Federal Rule of Civil Procedure 15(d). Dkt. 65. As plaintiffs note, leave to file such a pleading should be freely granted (i) “when the supplemental facts connect it to the original pleading,” and (ii) there is no “undue delay, bad faith, dilatory tactics, undue prejudice to the party to be served with the proposed pleading, or futility.” *E.g., Quaratino v. Tiffany & Co.*, 71 F.3d 58, 66 (2d Cir. 1995). Upon review of plaintiffs’ proposed supplemental complaint, it is clear that the supplemental facts concern events related to the initial pleading (specifically, further delays in the sale and refinancing of aircraft), and that no undue prejudice would result to defendant as a result of the amendment.

The Court therefore grants plaintiffs’ motion for leave to file a supplemental complaint. The Court respectfully directs the Clerk of Court to terminate the motion pending at Docket 45.

SO ORDERED.

A handwritten signature in blue ink that reads "Paul A. Engelmayer". The signature is written in a cursive style with a horizontal line underneath it.

PAUL A. ENGELMAYER
United States District Judge

Dated: December 8, 2023
New York, New York